



Order Filed on May 20, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re: Karen Barel

Case No.: 15-28409

Adv. No.:

Hearing Date: 5/19/2016

Judge: Vincent F. Papalia

ORDER RESOLVING OBJECTION TO CONFIRMATION

The relief set forth on the following pages, numbered two (2) through (3) is hereby **ORDERED**.

DATED: May 20, 2016



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Case No. 15-28409

Debtor: Karen Barel

ORDER RESOLVING OBJECTION TO CONFIRMATION

THIS MATTER having been opened to the Court by the filing of a Chapter 13 Plan by the Debtor, Karen Moldoff, f/k/a Karen Barel, by and through her attorneys, Law Offices of Scott J. Goldstein, LLC and Scott J. Goldstein, Esq., and an objection having been made to confirmation by the interested party, Ariel Barel, and the Court having reviewed the objection and having read the papers in support of confirmation and having heard the arguments of counsel and for good cause shown,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The claims filed by Stonebridge at Wayne Homeowners' Association and Ditech Financial, LLC as secured are to be treated as unsecured claims with respect to property of the Estate, pursuant to the transfer of title by quitclaim deed dated April 9, 2016, as authorized by this Court's prior Order.
2. Stonebridge at Wayne Homeowners' Association and DiTech Financial, LLC, as successor in interest to Greentree Servicing, each of which holds a claim in the within Chapter 13 proceeding, have consented to pursue their pre-petition claims against the Debtor only through in rem proceedings, such as foreclosure actions, as to the real property located at 114 Warbler Drive, Wayne, New Jersey and have agreed to seek no in personam compensation from the Debtor with respect to the Debtor's pre-petition obligations .
3. The language in Part 4(c) of the Debtor's Plan as modified on December 14, 2015 is hereby stricken with respect to the surrender of the real property located at 114 Warbler

Drive, Wayne, New Jersey and same shall not be surrendered pursuant to 11 U.S.C. §1325(a)(5)(C), notwithstanding any language in the Plan to that effect.

4. Ditech Financial, LLC and Stonebridge at Wayne Homeowners' Association hereby agree and consent, pursuant to 11 U.S.C. §1325(a)(5)(A) no payment from the Debtor's monthly plan payments on account of their pre-petition claims as to the aforesaid real property and the underlying obligations of the Debtor and the Chapter 13 trustee shall make no distribution to either of these creditors.
5. To the extent that Ditech Financial, LLC and Stonebridge at Wayne Homeowners' Association have liens secured against the real property located at 114 Warbler Drive, Wayne, New Jersey, such liens shall remain unimpaired by the confirmation of this Plan and the aforesaid creditors shall retain their liens to the extent such liens exist and are valid, which issues are to be determined by the New Jersey Superior Court.
6. The rights of the interested party, Ariel Barel, with respect to the real property located at 114 Warbler Drive, Wayne, New Jersey, shall remain unimpaired by the issuance of this Order and he shall be free to assert any defenses or claims as to the aforesaid real property in any foreclosure actions or other actions relating to the real property before the Superior Court of the State of New Jersey or any other court having competent jurisdiction except insofar as such claims would impinge on the Debtor's Plan or her anticipated discharge pursuant to 11 U.S.C. §1328.
7. This Order shall be incorporated and become part of any Order Confirming Plan in the within matter
8. Any remaining objections to confirmation are overruled on the terms set forth in this Order and the Debtor's Plan shall be confirmed.

